

requested that the Centers for Medicare & Medicaid Services reconsider these restrictions;

Whereas the leading national medical organization representing physicians who treat patients with disorders affecting the blood and bone marrow, the Nation's leading health care services network dedicated exclusively to cancer treatment and research, and other national, nonprofit organizations dedicated to improving patient access to care have expressed similar concerns regarding the national coverage determination and have called for its reconsideration; and

Whereas despite the strong concerns of the oncology and hematology community, the Centers for Medicare & Medicaid Services has failed to take any action: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the rule (CAG-000383N) submitted by the Centers for Medicare & Medicaid Services within the Department of Health and Human Services relating to Medicare coverage for the use of erythropoiesis stimulating agents in cancer and related neoplastic conditions, and such rule shall have no force or effect.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3447. Mr. SMITH (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table.

SA 3448. Mr. SMITH (for himself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 3447. Mr. SMITH (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_ (a) Notwithstanding any other provision of this Act, there shall be made available under this Act a total of \$7,500,000 for the National Violent Death Reporting System within the Centers for Disease Control and Prevention.

(b) Amounts made available under this Act for travel and administrative expenses for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be further reduced on a pro rata basis by the percentage necessary to decrease the overall amount of such spending by \$7,500,000.

SA 3448. Mr. SMITH (for himself and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER)

to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. \_\_\_\_ (a) The amount made available under the heading "AGING SERVICES PROGRAMS" under the heading "ADMINISTRATION ON AGING" in this title shall be increased by \$10,000,000 of which—

(1) \$5,000,000 shall be used to carry out part B of title III of the Older Americans Act of 1965 (42 U.S.C. 3030d) for fiscal year 2008 (for supportive services and senior centers to allow area agencies on aging to account for projected growth in the population of older individuals, and inflation);

(2) \$2,000,000 shall be used to carry out part C of title III of such Act (42 U.S.C. 3030d-21 et seq.) for fiscal year 2008 (for congregate and home-delivered nutrition services to help account for increased gas and food costs); and

(3) \$3,000,000 shall be used to carry out part E of title III of such Act (42 U.S.C. 3030s et seq.) for fiscal year 2008 (for the National Family Caregiver Support Program to fund the program at the level authorized for that program under that Act (42 U.S.C. 3001 et seq.)).

(b)(1) The 3 amounts described in paragraph (2) shall be reduced on a pro rata basis, to achieve a total reduction of \$10,000,000.

(2) The amounts referred to in paragraph (1) are—

(A) the amount made available under the heading "SALARIES AND EXPENSES" under the heading "DEPARTMENTAL MANAGEMENT" in title I, for administration or travel expenses;

(B) the amount made available under the heading "GENERAL DEPARTMENTAL MANAGEMENT" under the heading "OFFICE OF THE SECRETARY" in this title, for administration or travel expenses; and

(C) the amount made available under the heading "PROGRAM ADMINISTRATION" under the heading "DEPARTMENTAL MANAGEMENT" in title III, for administration or travel expenses.

#### PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Caitlin Parton of my staff be granted floor privileges for the duration of today's session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### DEVELOPMENT, RELIEF, AND EDUCATION FOR ALIEN MINORS ACT OF 2007—MOTION TO PROCEED

##### CLOTURE MOTION

Mr. REID. Madam President, I was going to ask unanimous consent that the Senate proceed to the consideration of S. 2205 at a time to be determined, but I am advised that there would be a Republican objection. Therefore, I will not ask that unanimous consent. In view of that objection that would have been lodged, I now move to proceed to Calendar No. 431, S. 2205, the DREAM Act, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 431, S. 2205, DREAM Act.

Richard J. Durbin, Robert Menendez, Daniel K. Inouye, Robert P. Casey, Jr., Joe Lieberman, Patty Murray, Jeff Bingaman, Jack Reed, Patrick Leahy, Charles Schumer, Daniel K. Akaka, Frank R. Lautenberg, Benjamin L. Cardin, John Kerry, S. Whitehouse, Barbara Boxer, Harry Reid.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

#### DEVELOPMENT, RELIEF, AND EDUCATION FOR ALIEN MINORS ACT OF 2007

Mr. LEAHY. Madam President, I am pleased that the Senate will have an opportunity to consider and adopt the DREAM Act. I have, again, cosponsored Senator DURBIN's initiative along with Senators LUGAR and HAGEL and urge all Senators to join us in proceeding to consideration of S.2205, the latest version of the Development, Relief, and Education for Alien Minors Act.

The DREAM Act was first introduced in 2001, during the 107th Congress. The Judiciary Committee favorably reported the bill with bipartisan support in 2002 and, again, in 2003 during the 108th Congress. When the Senate Judiciary Committee took up comprehensive immigration reform in 2006 during the 109th Congress, the DREAM Act was adopted by voice vote as an amendment to the comprehensive immigration reform bill reported by the Judiciary Committee, and it was included in the comprehensive immigration reform measure that the Senate ultimately passed in 2006. Senator DURBIN worked hard to have the DREAM Act included in the bill the Senate took up this past summer. I hope the spirit of bipartisanship that has been evident throughout this bill's history in the Senate can carry it to final passage this year.

The bill sets the right tone and policy. It seeks to enhance educational opportunities for thousands of young people who wish to enter college, but who are prevented from doing so due to circumstances over which they have little control. We should send the clear signal that the Senate majority is committed to doing what it can to move positive immigration reforms forward. It makes good sense to invest in our future by enhancing educational opportunities for our Nation's young people.

Children brought to the United States by their parents or guardians